

DEC. 7. 2006 9:58AM

JENKINS, WILSON&TAYLOR

NO. 3627 P. 3

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Lynda Pixley
Lynda Pixley
Date of Signature December 6, 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Boykin et al.

Group Art Unit: 1625

Serial No.: 10/721,525

Examiner: Davis, Z. N.

Filed: November 25, 2003

Docket No.: 421/60/21/2

Confirmation No.: 5332

For: DICATIONIC 2,5-DIARYLFURAN AZA-ANALOGS AS ANTI-
PROTOZOAN AGENTS

PETITION UNDER 37 CFR 1.313(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request that the above-referenced U.S. patent application, which is scheduled to issue as U.S. Patent No. 7,148,241 on December 12, 2006, be withdrawn from issue under 37 CFR 1.313(c)(1).

Applicants respectfully submit that claims 1-3, 5-7, and 9-11 are believed to be unpatentable based upon an inadvertent drafting error related to the description of some of the variables of Formula (I), such that the claims could be directed to chemically impossible compounds, and could, therefore, be unclear. Claims 4, 8, and 12-15 are unpatentable as being dependent upon unpatentable base claims. An Amendment B, amending the claims and providing an explanation as to how the amendments cause the claims to be patentable, is submitted concurrently with this Petition.

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Serial No.: 10/721,525

Please charge Deposit Account No. 50-0426 in the amount of \$130.00 to cover the petition fee set forth under 37 CFR 1.17(h).

Favorable consideration of the Petition and reconsideration of the claims in view of Amendment B is respectfully requested.

DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Date: 12/6/2006

By: Arlen A. Taylor, Jr.

Arlen A. Taylor, Jr.
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421/60/21/2

Customer No. 25297

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